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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/057,786	04/08/1998	JAY ALAN BORSETH	MS1-240US	6777
22801	7590	11/10/2005	EXAMINER	
LEE & HAYES PLLC 421 W RIVERSIDE AVENUE SUITE 500 SPOKANE, WA 99201			TRAN, HAI V	
			ART UNIT	PAPER NUMBER
			2611	

DATE MAILED: 11/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Interview Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/057,786	BORSETH, JAY ALAN	
	Examiner Hai Tran	Art Unit 2611	

All participants (applicant, applicant's representative, PTO personnel):

(1) Hai Tran. (3) \_\_\_\_\_.

(2) William J. Breen III. (4) \_\_\_\_\_.

Date of Interview: 17 October 2003.

Type: a) Telephonic b) Video Conference  
c) Personal [copy given to: 1) applicant 2) applicant's representative]

Exhibit shown or demonstration conducted: d) Yes e) No.  
If Yes, brief description: \_\_\_\_\_.

Claim(s) discussed: 1,5,13,19,26-28,31,32,39,43 and 44.

Identification of prior art discussed: US 6340997.

Agreement with respect to the claims f) was reached. g) was not reached. h) N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

  
HAI TRAN  
PRIMARY EXAMINER  
Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Requests applicant to submit a Terminal Disclaimer against Claims, 1, 7, 8, 9, 13, 17, 27, 28, and 34 of US Patent 6340997. Moreover, the examiner indicates to Applicant that claims 32 and 39 would be rejected as previously rejected in the previous Office Action and claims 26 and 27 would be rejected under 35 U.S.C 101 because the claimed invention is directed to non-statutory subject matter, i.e., Software. Applicant agrees to provide a terminal disclaimer, to amend claim 26 and 27 to overcome the 35 USC 101 rejection, and to amend claims 26-27, 32 with similar claim language to the context of the amended claims 1, 5 13, 19, 28. Applicant further proposes to cancel claims 31 and 39. Upon receipt of the terminal disclaimer along with appropriate correction of amended claims 26, 27 and 32, the Examiner will reconsider applicant 's remark and amended claims accordingly .



**HAI TRAN**  
**PRIMARY EXAMINER**